



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

Paper No. 3

WILLIAM H. DIPPERT, ESQ.
REED SMITH LLP
599 LEXINGTON AVENUE, 29TH FLOOR
NEW YORK, NY 10022

COPY MAILED

AUG 28 2002

OFFICE OF PETITIONS

In re Application of :
Liat Tsoref et al : DECISION GRANTING PETITION
Application No. 10/042,735 : FOR FILING DATE
Filed: October 25, 2001 :
Attorney Docket No. 23538.38 :
:

This is a decision on the petition filed August 12, 2002, requesting that a nonprovisional application of Liat Tsoref and Dov Furman, entitled "BONE AGE ASSESSMENT USING ULTRASOUND," filed pursuant to the provisions of 35 USC 111(a) and 37 CFR 1.53(b) be accorded a filing date of October 25, 2001. The petition is being treated as a petition under 37 CFR 1.10(e).

Petitioner asserts that the original nonprovisional application papers were deposited in Express Mail service on October 25, 2001, in accordance with the procedures set forth in 37 CFR 1.10 and that the application is entitled to the date of deposit in Express Mail service as the filing date. In support, petitioner has supplied a copy of the original application papers showing the Express Mail label No. EL692775195US thereon and displaying the October 25, 2001 date applied thereon by the United States Postal Service.

In view of the above, the petition is granted.

This nonprovisional application has been assigned nonprovisional Application No. 10/042,735. The copy of the nonprovisional application papers supplied on October 25, 2001, will be used to process the application. All future correspondence regarding this application should be directed to Application No. 10/042,735.

BEST AVAILABLE COPY

Applicants should notify this office if the original nonprovisional papers are subsequently discovered in the USPTO so that the present duplicate file can be merged with the original papers.

It is noted that the copy of the application papers originally submitted authorized the charging of the filing fees due in this application. Accordingly, filing fees totaling \$739 (\$370 filing fee and \$369 excess claim fee) will be charged to petitioner's Deposit Account No. 03-3419 as authorized.

It is noted that the address contained in the originally submitted application papers differs from the address on the instant petition. The address noted on the petition will be used as the correspondence address for this application. However, if this is incorrect, petitioner should promptly inform the USPTO of the proper mailing address.

The instant nonprovisional application, Application No. 10/042,735, is being forwarded to the Initial Patent Examination Division for further processing under 37 CFR 1.53(b) with a filing date of October 25, 2001, using the copy of the nonprovisional application papers supplied on August 12, 2002. A filing receipt will be mailed in due course by the Office of Initial Patent Examination Division.

Any questions concerning this decision on petition should be directed to Frances Hicks at (703) 305-8680.



Brian Hearn
Senior Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

BEST AVAILABLE COPY